

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**KALINDA JENKINS**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 3:20-cv-89-JMV**

**ANDREW SAUL, COMMISSIONER  
OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER GRANTING UNOPPOSED MOTION TO REVERSE AND REMAND**

Before the Court is the Commissioner's motion [23] for voluntary remand of this case. For good cause shown, the motion is GRANTED, and the unfavorable decision denying Plaintiff's claim for Title II Disability Insurance Benefits and Title XVI supplemental security income benefits is REVERSED and REMANDED for further action by the Commissioner of the Social Security Administration pursuant to the fourth sentence of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

IT IS, FURTHER, ORDERED AND ADJUDGED that on remand the Administrative Law Judge's new decision shall contain a finding of fact addressing the plaintiff's ability to maintain employment pursuant to *Singletary v. Bowen*, 798 F.2d 818, 822 (5th Cir. 1986). Consultative psychologist Pamela Buck, Ph.D., examined the plaintiff on April 4, 2018 and noted that plaintiff "has had multiple work failures and difficulty getting along with others," and opined that "she is not likely to consistently maintain employment," raising a factual question that was not addressed in the earlier hearing decision (Tr. 616). The Administrative Law Judge's new decision will further assess the persuasive value of Dr. Buck's medical source opinion regarding the claimant's ability to maintain employment over time, as well as the supportability and/or consistency with the record

regarding all of the medical source opinions of record.

SO ORDERED this 4<sup>th</sup> day of January, 2021.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE

PREPARED BY AND AGREED TO:

/s/ J. Luke Benedict

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